

ESTTA Tracking number: **ESTTA64081**

Filing date: **01/27/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91162252
Party	Defendant Innovation Plus Holdings Corp. Innovation Plus Holdings Corp. 325 Waterfront Drive Omar Hodge Building, 2nd Floor VGX Road Town, Tortola,
Correspondence Address	Otto O. Lee Intellectual Property Law Group LLP 12 South First Street, 12th Floor San Jose, CA 95113
Submission	Other Motions/Papers
Filer's Name	Erin Williams
Filer's e-mail	tm_docket@iplg.com
Signature	/Erin Williams/
Date	01/27/2006
Attachments	Executed settlement.pdf (1 page) Settlement agreement Exhibit B.pdf (2 pages)

EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MARS, INCORPORATED Opposer, vs. INNOVATION PLUS HOLDING CORPORATION Applicant	Opposition No.: 91162252 Serial No.: 78/127678 STIPULATED WITHDRAWAL OF OPPOSITION
---	---

STIPULATED WITHDRAWAL OF OPPOSITION

BOX TTAB - NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir or Madam:

Pursuant to Trademark Rule of Practice 2.106(c), Opposer Mars, Incorporated with Applicant Innovation Plus Holding Corporation's written consent, withdraws this opposition proceeding in view of Applicant's necessary changes to the Application, copy attached.

Respectfully submitted,

Mars, Incorporated

By: *Patricia L. Wemer*
Attorney for Opposer
Patricia L. Wemer
FITZPATRICK, CELLA,
HARPER & SCINTO
30 Rockefeller Plaza
New York
New York 10112
(212) 218-2200
pwerner@fchs.com

Dated: *January 10*, 2006

Consented to by Applicant: Innovation Plus Holding Corporation By: <i>[Signature]</i> Name: <i>Laura Williams</i> Title: <i>Attorney for Applicant</i> Date: <i>January 27, 2006</i>

EXHIBIT B

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<p>MARS, INCORPORATED Opposer,</p> <p style="text-align: center;">vs.</p> <p>INNOVATION PLUS HOLDING CORPORATION Applicant</p>	<p>Opposition No.: 91162252 Serial No.: 78/127678</p> <p style="text-align: center;">AMENDMENT OF APPLICATION</p>
--	--

AMENDMENT OF APPLICATION

BOX TTAB - NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir or Madam:

Innovation Plus undertakes to amend the statement of goods of its trademark application, serial number 78/127678, for the mark "GINO and Design" to read as follows:

International Class: 029

"Meats, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies; jams; eggs; milk and other dairy products, namely cheese, butter, cream, condensed milk, sterilized milk, powdered milk; preserves, pickles."

International Class: 030

"Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour and preparations made from cereals, namely, breakfast cereals, cereal-based snack food; bread, cake; honey; yeast, baking powder; salt, mustard, pepper, spices; ice."

Respectfully submitted,

Innovation Plus Holding
Corporation

Dated: January 27, 2006

By: /ERIN WILLIAMS/
Attorney for Applicant
Erin Williams, Esq.
Intellectual Property Law Group
LLP
12 South First Street, 12th Floor
San Jose, CA 95113
(408)885-8791
tm_docket@iplg.com